

REMARKS

Claims 1-11 were pending in this application. In this response, claims 1-6 and 8-11 have been amended while the limitations of claim 7 have been included in independent claim 1. Consequently, claims 1-6 and 8-11 remain under consideration.

Claim objections

The Examiner objects to claims 7-11 as being in improper multiple dependent forms. It is submitted that this objection is moot in light of the amendment to claim 1.

Double Patenting

The Examiner has provisionally rejected claims 1-11 on the ground of non-statutory obviousness-type double patenting as being unpatentable over claims 1-23 of co-pending application no. 10/498,340. The two applications are both assigned to Aristocrat Technologies Australia Pty. Ltd.

It is submitted that the two applications describe different illuminating arrangements. Claim 1 of the present application defines a chamber of a game machine that carries artwork on a panel on one side of the chamber. A plurality of semi-conductor illuminating elements arranged in a pre-determined array in the chamber between the artwork and a light diffusing element provide back-lighting that illuminates the artwork.

In contrast, co-pending application 10/498,340 describes gaming machine artwork that uses substantially flat electro-luminescent illuminating elements. The electro-luminescent material may be shaped to match the shape of the images. The illuminating arrangement is mounted to the carrier on which the images are carried. It is accordingly submitted that the co-pending application does not relate to the arrangement defined in claim 1 of the present application as amended.

Claim Rejections - 35 U.S.C. § 102

The Examiner rejects claims 1 and 3-6 under 35 USC 102(b) as being anticipated by US publication 2002/0173354 ("Winans").

In the absence of any teaching or suggestion as presently claimed, in the Jorasch reference, anticipation of the present claims is negated. This is because all elements of the claimed invention must be disclosed in a single reference for anticipation to exist. Atlas Powder Co. v. E. I. DuPont de Nemours & Co., 750 F.2d 1569, 224 U.S.P.Q. 409 (Fed. Cir. 1984). Missing elements cannot be supplied by the knowledge of one skilled in the art or the disclosure of another reference in order to give rise to an anticipation rejection. Structural Rubber Products Co. v. Park Rubber Co., 749 F.2d 707, 223 U.S.P.Q. 1264 (Fed. Cir. 1984).

Winans describes the light-emitting interface displays that may be mounted to a surface on a gaming machine. The thin interface displays that may be mounted to an exterior surface of a gaming machine. In particular embodiments, the thickness of the interface displays may be less than about 1 micron. The substrate may be formed from a flexible material such as a plastic film or a metal foil. The electro-luminescent elements in Winans may be formed in the shape of a pattern such as a symbol, an icon, a logo, an alpha-numeric text symbol and a word (See paragraphs [0011]-[0015]).

It is respectfully submitted that the arrangement described in currently amended independent claim 1 of the present application is patentably distinct from the thin light-emitting interface displays of Winans.

Accordingly, there is no teaching or suggestion of the currently pending claims since in the Winans reference. Hence, in the absence of any teaching or suggestion as presently claimed, in the Winans reference, anticipation of the present claims is negated. Thus the Applicants respectfully request that the Examiner withdraw the 35 U.S.C. 102 (b) rejections to claims 1 and 3-6.

Claim Rejections - 35 U.S.C. § 103(a)

The Examiner rejects claims 2 under 35 USC 103(a) as being obvious when compared to Winans in view of JP40811361A ("**Koji Maruyama**").


Currently amended claims 2-6 and 8-11 are dependent on allowable independent Claim 1. Consequently these claims are patentable at least because of their depednency on claim1. However, each of the dependent claims define an additional aspect of the invention. Individual reconsideration of each is requested.

Conclusion

Applicants have complied with all requirements made in the above referenced communication. Applicants submit that the present application is in condition for allowance, and therefore, respectfully request that a timely Notice of Allowance be issued in this case. Should matters remain, which the Examiner believes could be resolved in a telephone interview, the Examiner is requested to telephone the Applicants' undersigned agent.

The Director is authorized to charge any additional fee(s) or any underpayment of fee(s), or to credit any overpayments to Deposit Account Number **50-2638**. Please ensure that Attorney Docket Number 75144-011400 is referred to when charging any payments or credits for this case.

Respectfully submitted,


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Date: January 11, 2007

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